

**REGULAR MEETING  
of the  
CITY OF RIALTO  
CITY COUNCIL  
City of Rialto, acting as Successor Agency to the  
Redevelopment Agency  
RIALTO HOUSING AUTHORITY**

**MINUTES  
April 14, 2015**

A regular meeting of the City Council of the City of Rialto was held in the City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Tuesday, April 14, 2015.

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This meeting was called by the presiding officer of the Rialto City Council in accordance with the provisions of **Government Code §54956** of the State of California.

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**CALL TO ORDER**

Mayor Robertson called the meeting to order at 5:00 p.m.

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The roll was called and the following were present: Mayor Deborah Robertson, Mayor Pro Tem Palmer, Council Members Joe Baca Jr., Ed Scott and Shawn O'Connell. Also present were City Administrator Michael Story, City Attorney Fred Galante and City Clerk Barbara McGee.

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**CLOSED SESSION**

1 Conference with Legal Counsel - Existing Litigation: The City Council will discuss the following pending litigation (s) pursuant to Government Code Section 54956.9(d)(1):

(a) City of Colton v. American Promotional Events, Inc, et al CD Cal Case No. ED CV 09-01864 PSG(SSx) and consolidated cases

## **CLOSED SESSION**

2 Conference with Real Property Negotiator. The City Council will confer with its real property negotiator concerning the following properties pursuant to Government Code Section 54956.8 and 54956.9:

- (a) Property: APN# 0132-181 -01

350 West Valley Boulevard

City Negotiator: Robb R. Steel-Asst. CA/Development Svs. Dir.

Kim Bibolet, EPIC Land Solutions, Inc.

Negotiating Parties: Mr. James G. Turner & Mr. Albert Carroll

Under Negotiation: Price and terms-Acquisition of Right of Way

- (b) Property: APN# 0132-092-01 & 0132-252-01

Vacant Land-South San Bernardino

City Negotiator: Robb R. Steel-Asst. CA/Development Svs. Dir.

Kim Bibolet, EPIC Land Solutions, Inc.

Negotiating Parties: Ross Land Holdings Rialto

Under Negotiation: Price and terms-Acquisition of Right of Way

3 Conference with Real Property Negotiator. The City Council will confer with its real property negotiator concerning the following properties pursuant to Government Code Section 54956.8:

- (a) Subject: Price and Terms - Acquisition of Right of Way

Location: Alder Avenue, South of Renaissance Parkway  
Portions of APN#0240-191 -15, 16, 30 and 31

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.  
Rosemead Properties

- (b) Subject: Price and Terms - Acquisition of Real Property

Location: Walnut Avenue, Laurel Avenue  
Portions of APN#0240-221 -18, 19, and 28

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.  
Rosemead Properties

- (c) Subject: Price and Terms - Acquisition of Real Property

Location: Walnut Avenue, Laurel Avenue  
Portions of APN#0240-221 -15, 16, 17 and 21

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.  
Lewis Hillwood Rialto, LLC

- (d) Subject: Price and Terms - Acquisition of Real Property

Location: Baseline Road and Laurel Avenue  
Portions of APN#0240-241 -10, 38, and 56

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.  
San Gabriel Valley Water Company

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Motion by Council Member Palmer, second by Council Member Scott and carried by unanimous vote to go into Closed Session at 5:03 p.m. and returned at 5:25 p.m.

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## **CALL TO ORDER**

Mayor Robertson called the meeting to order at 6:02 p.m.

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The roll was called and the following were present: Mayor Robertson, Mayor Pro Tem Palmer, Council Members Ed Scott, Joe Baca Jr. and Shawn O'Connell. Also present were City Administrator Michael Story, City Clerk Barbara McGee and City Attorney Fred Galante.

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## **Pledge of Allegiance and Invocation**

Mayor Deborah Robertson led the pledge of allegiance and Reverend Jose Vindel, Rialto United Methodist Church gave the Invocation.

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## **City Attorney's Report on Closed Session**

City Attorney Galante stated that City Council met in Closed Session and discussed all the items listed under Closed Session on the Agenda.

- 1 Conference with Legal Counsel - Existing Litigation. City of Colton v. American Promotional Events, Inc. City Council received an update of the litigation and no reportable action was taken.
- 2a City Council held a conference with real property negotiators concerning the properties at 350 West Valley Blvd. with negotiating parties being James Turner and Albert Carroll. City Council provided direction and no reportable action was taken.
- 2b The vacant land – South San Bernardino with the negotiating parties being Kim Bibolet, EPIC Land Solutions Inc. City Council provided direction and no reportable action was taken.
- 3a The property at Alder Avenue, South of Renaissance Parkway. With Rosemead Properties being the negotiating party. City Council provided direction and no reportable action was taken.
- 3b The property at Walnut Avenue, Laurel Avenue with Rosemead Properties being the negotiating party. City Council provided direction and no reportable action was taken.

City Council did not discuss items 3c and 3d.

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## **PRESENTATIONS PROCLAMATIONS**

- 1 Proclamation-Child Abuse Prevention Month - Mayor Deborah Robertson
- 2 Proclamation-Fair Housing Month-Mayor Deborah Robertson
- 3 Proclamation-National Public Safety Telecommunications Week Mayor Deborah Robertson
- 4 Proclamation-911 Education Month-Mayor Deborah Robertson
- 5 Proclamation-Animal Control Officer Appreciation Week Mayor Deborah Robertson

**PRESENTATIONS**  
**PROCLAMATIONS**

- 6 Proclamation-Earth Day 2015-Mayor Deborah Robertson
- 7 Proclamation-National Volunteer Month, April 2015:Rialto Community Emergency Response Team (CERT)-Mayor Deborah Robertson
- 8 Presentation-Rialto Fire Department: Fill the Boot 2015 Division Chief Sean Grayson
- 9 Rialto Advanced Learning Center - Certificates of Completion "Introduction to Wastewater Treatment"- Melita G. Caldwell-Betties, MPA, San Bernardino Valley College
- 10 Proclamation – National Volunteer Week – Mayor Deborah Robertson

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**ORAL COMMUNICATIONS**

June Hayes, PO Box 2395, expressed her concern regarding a "ready to serve" water fee applied to businesses.

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Tressy Capps, Fontana resident, attends Sunrise Church in Rialto, explained they started a grassroots effort to stop toll lanes from coming the Inland Empire – Toll Free IE.

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Diane McKee, expressed how great the Eggstravaganza event turned out where she had a booth promoting their Transforming Lives Charter School.

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David Phillips, 659 N. Teakwood Ave., gave an update on the Rialto Community Coalition events. He expressed his support of no toll lanes in the inland Empire. He expressed his concern regarding the Jazz Festival. He expressed his concern about misleading statements regarding Cuba and the formation of a Sister City.

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Council Member O'Connell stated at the last meeting Council Member Ed Scott brought up his name referencing speaking to a reporter claiming he brought up the subject. Again he was first shocked that his name was brought up in this dais form because it's really never been done that often. He does stand by his statement that at no time did he ever initiate the conversation. At no time did he ever contact a reporter. What did happen was that he did make a statement when one reporter contacted him from the Sun Newspaper. After he went home he did recall that Casey McDuff had called him and they had a minute or two discussion about Cuba. He called her back and asking where she got the information and she said from listening to the radio. He is willing to believe Council Member Scott's comment was a mistake and when he said he would be willing to sit with him and talk, he extends the same offer. Instead of bringing something like this at the dais, it's something they can sit prior.

## **ORAL COMMUNICATIONS**

Council Member O'Connell stated he's bringing it up to correct the mistake he made and then make it clear that if there is a reporter out there that said that he still would like to sit down with them because it just didn't happen.

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Marco & Maria Rueda, 931 N. Date St., Rialto expressed concern regarding the rising cost of water.

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George Harris, Administrative and Community Services Director asked if he was a Rialto Water Services customer or West Valley Water District.

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Mr. Rueda stated Rialto Water Services.

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Mr. Harris stated that they do have a program that starts at age 65 but there is also a low income program they can look at.

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Council Member Scott asked if RWS or staff can meet with them and go through the bills because there have been some rate increases. Additionally it's pretty easy to determine if there is a leak by checking the meter.

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## **CONSENT CALENDAR**

### **A. WAIVE FULL READING OF ORDINANCES**

1. Waive reading in full, all ordinances considered at this meeting.

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### **B. APPROVAL OF WARRANT RESOLUTIONS**

B.1 Resolution No. 36 (03/27/15)

B.2 Resolution No. 37 (04/03/15)

B.3 Resolution No. 38 (04/10/15)

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### **C. APPROVAL OF MINUTES**

C.1 Regular City Council Meeting - March 24, 2015

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### **D. MISCELLANEOUS**

D.1 Request City Council to Approve Registration Fee for San Bernardino Community College District Board of Trustee Member Joseph Williams to attend the ICSC RECon Convention, May 17-20, 2015, in Las Vegas.

D.2 Request City Council to Accept the 2014/2015 Annual Slurry Seal Project, City Project 150802.

## **CONSENT CALENDAR**

### **E. MISCELLANEOUS**

- D.3 Request City Council to Approve an increase to Purchase Order 2015-1102 with MuniTemps in an amount not to exceed \$ 17,500 to provide administrative and personnel support services in Human Resources Division.
- D.4 Request City Council to Accept the Cactus Avenue Widening Project, City Project No. 130809, and Foothill Boulevard & Cactus Avenue Traffic Signal Modification Project, City Project No. 140807.
- D.5 Request City Council to Approve the Purchase of the Training Management Software Application from International Business Information Technologies, Inc. for Rialto Police Department in the Amount of \$32,985.
- D.6 Request City Council to Adopt on Second Reading Ordinance No. 1559 "AN ORDINANCE OF THE CITY OF RIALTO, CALIFORNIA, AMENDING CHAPTER 5.20 (FIREWORKS) RELATING TO FIREWORKS DISCHARGE RESTRICTIONS IMPOSING STRICT LIABILITY ON PROPERTY OWNERS OR PERSONS IN CONTROL OF PROPERTY."
- D.7 Request City Council to Approve travel and training requests for Mayor Deborah Robertson and Council Member Ed Scott to attend the League of California Cities Legislative Action Day in Sacramento, Wednesday, April 29, and the Mayor & Council Members Executive Forum in Monterey from June 24 to 26, 2015.

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Motion by Mayor Pro Tem Baca Jr., second by Council Member Scott and carried by unanimous vote to approve the consent calendar with the exception of Item D-1.

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### **ITEM D-1**

David Phillips, 659 N. Teakwood Ave., expressed his concern on the amount of travel that has gone on this year. They are now opening Pandora's Box by paying for a Rialto resident, a San Bernardino Community College District elected official and not a Rialto elected official to attend the ICSC RECon Convention in May. He wants to see all travel halted until a policy is drafted that would require travel participants to address the City Council and public about the importance of their trip and prove that it was relevant to the community of Rialto.

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## ITEM D-1

Council Member Palmer stated that he too was concerned when he saw the request to pay for Trustee Member Joseph Williams to go on behalf of the City of Rialto to the ICSC Convention in Las Vegas. They have nine people already going representing the City. Now its 8 because he pulled his name off the list. Too many chiefs not enough Indians probably. It is necessary to go for some of them and feels they are adequately represented when they do go there. There is a purpose to go to the ICSC, to get new business, they meet with business owners and corporations and convince them to come to the City of Rialto. It's necessary to show a good Council force there also. He did not see the necessity or the reason to have the City pay for Mr. Williams to go. He knows he's on the Oversight Board that oversee the RDA projects and what goes on with the Department of Finance when they dispose of or use their properties. To pay for him to go was almost like favoring him somehow. He will be voting against D-1.

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Council Member O'Connell noticed why isn't the Oversight Board paying for it instead of the City. The Oversight Board unfortunately isn't going to provide funding for this event. Then why is the City? He is one of the ones who implemented the new travel policy and that came about 2 years ago when they were forced to pay \$50,000 for a special audit of their travel expenses. With the help of City Council, that travel policy went through quite a few different changes to make it what it is today. One of those section requires that, people who travel have to come back and discuss whether it's among themselves or during a meeting. With Mr. Williams travels there will be no way of him bringing it to the benefit of the City. Oh behalf of the citizens he would love for him to go because of his personal knowledge makes it better. But looking at how they are spending money it does set a precedence that is not worth it in his opinion so he will be voting No as well.

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Joseph Williams, Rialto resident, stated he represents the Community College District on the Oversight Board. They are asked to make land use decisions and as a resident he looks at the businesses that are here and not here. He wanted to understand the process better when businesses require different criteria in a City, which is why he had requested to go on behalf of the Oversight Board. If members of Council are uncomfortable with him going on City resources and members of the public are uncomfortable the he doesn't have a problem withdrawing the request. He owns a home here and he pays taxes too but that was the reason for the request. To figure out a plan to get different businesses in the City.

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## ITEM D-1

John Dutrey, Development Services stated that the Oversight Board has legal counsel and it was her opinion under the Redevelopment Dissolution Act that the use of the Successor Agency funds is not appropriate for this type of request. The reason for the Redevelopment Dissolution Act is to dissolve the assets and the affairs of the Successor Agency and as a result of that it will not conform to the Act itself.

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City Attorney Galante stated that Aleshire & Wynder doesn't sit as the counsel for the Oversight Board and a separate law firm provided the opinion that Mr. Dutrey just explained. He has reviewed the opinion and believes that it's an accurate and correct opinion. Nevertheless, if the City finds that it does provide public benefit for the City as the staff report explains for a member of the Oversight Board to attend. That is a finding that this City Council can make.

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Mayor Robertson stated that he is correct when he stated he is always asking why certain businesses are not coming to the City. She did say this convention would be a wonderful educational process of understanding land use and other economic matrix. Being that he is an elected representing our area but also sitting on the Oversight Board and a resident of the community, she saw that this would be one way he can have an opportunity and still engage in the distribution and disposal of land. Of course they have Planning Commissioners going, which is their first time attending. Often times to help some of the residents and those who are holding positions to understand this process and the information that they have to go and show that the community is not exactly factoring out all with all the economic information, it's helpful if someone gets a perspective. Recently, Commissioner June Hayes went to a Conference and brought back information that was shared. Her perspective is she is hoping that the commissioners and citizens are interested and wanting to be engaged that they figure out a way to broaden their base and broaden their understanding of what goes on in their dynamics. She appreciates that Mr. Williams did say that if it was going to cause concern, she would not want to take a vote that would indicate they have sent a message one way or another that they are in support of Mr. Williams but they are not wanting to expend city funds or not in support of it. She kindly accepts his offer to withdraw the request.

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Council Member Palmer stated that they have the utmost respect for Mr. Williams. This is about policy and what is right for the City and based on what he thinks is legal and not the gift of public funds. Yes, it's the Planning Commissioners first time going. Yes, they are citizens of Rialto, on the Planning Commission and represent the City of Rialto. They authorized June Hayes going to a Conference, she's a Commissioner and lives in the City of Rialto.



## ITEM D-1

Council Member Palmer stated that Mr. Williams is a Rialto resident but an elected official on the Community College Board which doesn't represent the City of Rialto. He would love for him to go. He doesn't think it's the right thing to do to spend city monies letting a citizen who doesn't represent the City of Rialto, even though he is on the Oversight Board and deals with Rialto RDA projects but he represents the district on that board.

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Mayor Robertson asked Mr. Williams regarding his position on the Community College Board representing what specific cities?

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Joseph Williams, Rialto resident, stated that his position on the Community College Board represents Rialto. He wants to be clear, that he is not requesting to go just to be going. He represents the Rialto area on the Community College Board. He is appointed to the Oversight Board for the City of Rialto. He felt it was appropriate for the request. He doesn't want it to be misconstrued that he is just asking to go on a trip. This again is about understanding how they can make rialto better. There is a misalignment on how the education data is used and presented to some of these businesses. He needs to go to understand that and seems like something is being left out. He will withdraw the request.

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City Attorney Galante stated the item isn't approved due to lack of action taken.

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## Item D-7

Council Member O'Connell stated this is a travel request by Mayor Robertson and Council Member Scott to attend 2 trips. The League of Cities Legislative Action in Sacramento and The Mayors and City Council Members Executive Forum in Montreal. He was intimately involved in revamping the travel policy. When he first started a person requested 3 trips in January and he wondered where were the checks and balances? The check and balance comes out to they have to do it public. When they revamped the policy they wrote it so that no travel can be extended unless it's voted on in public. He was naïve and wasn't really aware how this works but what he has found recently was that all the travel expenses are being put into Consent Calendar items. They say yes, and pass it all the way through. So they are by passing the knowledge or the oversight of the public to oversee this travel. In this particular case they are both legitimate. One of the things he put into the policy was that it has to be city related. There is no issue with the travel, it's the fact that he feels they are by passing that one critical component which is to inform the public so they know what is going on. This will be the only reason why he will continue pulling these anytime they come up.

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**Item D-7**

Council Member Scott stated in regards to the trip to Sacramento he would like to mention that is a one day trip for both. In regards to Monterey he had advised staff that he would be driving up there and noticed they put mileage in there. He did not intend to turn in mileage for that trip so if they can remove that amount of money from that item. He will pay for his own gas.

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Mayor Robertson stated that they have already voted on the item.

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City Attorney Galante stated that is correct so that notation can be direction to staff.

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**TAB 1 – West Colton Rail Terminal**

Gina Gibson, Planning Manager presented the staff report regarding the Continuation of Public Hearing regarding the Granting to West Colton Rail Terminal LLC, the Nonexclusive Right, Privilege, Authority, and Franchise to Lay and Use Pipelines and Appurtenances for Transmitting and Distributing Ethanol.

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Mayor Robertson declared the public hearing still open. No one came forward.

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Motion by Mayor Pro Tem Baca Jr., second by Council Member Scott and carried by unanimous vote to continue the public hearing until the May 12, 2015 City Council Meeting.

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**TAB 2 – Purchase of Four (4) undercover vehicles**

Sgt. Paul Stella presented the staff report regarding the purchase of four undercover vehicles for the police department.

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Motion by Council Member Scott, second by Mayor Pro Tem Baca Jr., and carried by unanimous vote to Authorize the Purchase of Four (4) Undercover Vehicles for the Police Department for Administrative Purposes in the total Amount of \$99,288.

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**TAB 3 – Purchase of Eight (8) Police Interceptor Utility Vehicles**

Sgt. Paul Stella presented the staff report regarding the purchase of eight utility vehicles for the Police Department.

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Motion by Mayor Pro Tem Baca Jr., second by Council Member Scott and carried by unanimous vote to Authorize the Purchase of Eight Ford Police Interceptor Utility Vehicles from Fairview Ford for the Amount of \$213,460.72.

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**TAB 4 – Audio/Video CCTV Camera System**

Sgt. Robert Smith presented the staff report regarding Purchase of an Audio /Video CCTV Camera system from Kratos Public Safety & Security Solutions, Inc.

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**Oral Communications**

David Phillips, 659 N. Teakwood Ave., asked which parks will the cameras be placed? Speaking on behalf of Flores Park Neighborhood Watch has dropped off with the Police Department especially in specific to the park area and Dollahan Elementary.

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Police Chief Farrar stated that the comments are better suited for TAB 5. This TAB is specifically for the Police Department surveillance, control and security. It has nothing to do with Park cameras. The information you will receive in TAB 5 will probably clear up Mr. Phillips's questions regarding the cameras. He is correct in saying there have been a couple of malfunctions with some of the park cameras. This is the reason for TAB 5.

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Council Member O'Connell stated that this is another example of the police department going out for grants. Staying on top of the technology referencing body wear cameras to cameras throughout the whole facility. He likes the fact that they are coming up and upgrading the digital cameras which will assist Internal Affairs. Kudos to the Police Department as always, great presentation.

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Motion by Council Member O'Connell, second by Mayor Pro Tem Baca Jr. and carried by unanimous vote to approve the Purchase of an Audio /Video CCTV Camera system from Kratos Public Safety & Security Solutions, Inc., in the amount of \$56,740 and Adopt Budget Resolution No. 6718 Appropriating Funds in the amount of \$16,610 for the FY2013/2014 California Citizens' Option for Public Safety Grant.

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**TAB 5 – Repair and Upgrade  
Cameras and Equipment**

Sgt. Tim Lane presented the staff report regarding the Purchase Order to Veterans Communication Services, Inc. for Repair and Upgrade Cameras and Equipment to Rialto City Parks Camera Systems.

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David Phillips. 659 N. Teakwood Ave., expressed concerns regarding the safety on the Rails to Trails and asked if there will be cameras on the Rails to Trails Project.

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Motion by Council Member Palmer, second by Mayor Pro Tem Baca Jr. and carried by unanimous vote to Award a Purchase Order to Veterans Communication Services, Inc. for Repair and Upgrade Cameras and Equipment to Rialto City Parks Camera Systems in the Amount of \$69,592.

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**TAB 6 – Tax Allocation Refunding  
Bonds Series 2005A, Series 2005B  
and Series 2005C**

George Harris, Administrative and Community Services Director presented the staff report regarding the authorizing the issuance of bonds to refund the outstanding Redevelopment Agency of the City of Rialto Tax Allocation Refunding Bonds (Merged Project Area) Series 2005A, Series 2005B and Series 2005C (“2005 TABs”).

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Motion by Mayor Pro Tem Baca Jr., second by Council Member Scott and carried by unanimous vote to Adopt Resolution No. SA6-15 authorizing the issuance of bonds to refund the outstanding Redevelopment Agency of the City of Rialto Tax Allocation Refunding Bonds (Merged Project Area) Series 2005A, Series 2005B and Series 2005C (“2005 TABs”), authorizing delivery of the Indentures of Trust, a Purchase Contract, and other agreements and taking other actions related thereto.

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**TAB 7 – Revised Construction and  
Credit Agreement – Niagara  
Project**

Greg Lantz, Development Services Dept. presented the staff report regarding the Revised Construction and Credit Agreement by and between the City of Rialto and Lewis-Hillwood Rialto Company related to the Niagara Project.

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Motion by Council Member Palmer, second by Mayor Pro Tem Baca Jr. and carried by unanimous vote to Approve a Revised Construction and Credit Agreement by and between the City of Rialto and Lewis-Hillwood Rialto Company, LLC and Adopt Budget Resolution No. 6719 related to the Niagara Project.

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**TAB 8 - Revised Construction and Credit Agreement - Medline Project**

Greg Lantz, Development Services Dept. presented the staff report regarding the Revised Construction and Credit Agreement by and between the City of Rialto and Lewis-Hillwood Rialto Company related to the Medline Project.

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Motion by Council Member Palmer, second by Council Member Scott and carried by unanimous vote to approve a Revised Construction and Credit Agreement by and between the City of Rialto and Lewis-Hillwood Rialto Company, LLC related to the Medline Project.

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**TAB 9 – Agreement for Conveyance of property with Sandra Marie Larsen**

Greg Lantz, Development Services Dept. presented the staff report regarding an agreement for Conveyance of Property by and between the City of Rialto and Sandra Marie Larsen for a portion of Assessor's Parcel Numbers (APN) 0240-201-32 and 0240-201-35.

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Council Member O'Connell left the dais at 8:03 p.m.

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Motion by Mayor Pro Tem Baca Jr., second by Council Member Palmer and carried by unanimous vote to (1) Approve an Agreement for Conveyance of Property by and between the City of Rialto and Sandra Marie Larsen for a portion of Assessor's Parcel Numbers (APN) 0240-201-32 and 0240-201-35 in the total acquisition amount of \$78,273; and, (2) Adopt Budget Resolution No. 6720 appropriating a total of \$83,273 for the Acquisition of the Property and Related Costs.

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Council Member O'Connell returned to the dais at 8:09 p.m.

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**TAB 10 - Rebid Bud Bender Park Rehabilitation Project, City Project No. CB1302**

Robert Eisenbeisz, Public Works Director presented the staff report regarding the Rebid Bud Bender Park Rehabilitation Project, City Project No. CB1302.

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**Oral Communications**

David Phillips, 659 N. Teakwood Ave., stated he was confused by this TAB item. He expressed his concern regarding contracting out to Willdan and to consider doing more things in-house.

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Council Member Palmer stated that he is looking forward to this project, the oldest park in the City.

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**TAB 10 - Rebid Bud Bender Park Rehabilitation Project, City Project No. CB1302**

Mayor Pro Tem Baca Jr. stated the whole logic in doing it in this manner was to prevent markup. This is for them to go out and purchase the products individually. The other thing was that there was a lot of categories of money that they are getting to pay for this. This is a great long overdue project. The Pony League is excited about this project. It's a good reinvestment back into the community. Once they approve this item can they reach out to the Dodgers and let them know their progress and where they are. They approved a Dodgers Dream Field to get a \$50,000 grant to put solar scoreboards and other amenities for the park.

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Council Member O'Connell stated a member of the sub-committee, along with Mayor Pro Tem Baca Jr, he is extremely happy to see this project move along. From the initial cost they were all rather surprised at, to this much more reasonable cost, he applauds the city and the vendors for coming forward with creative ideas such as pre-purchasing some of these items. This allowed them to significantly control the cost. They were concerned with making sure that this was done in a timely manner because this has been extended quite a bit and that is also being addressed. It will be a win-win and they move forward and onto the next project.

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Motion by Council Member Palmer, second by Mayor Pro Tem Baca Jr. and carried by unanimous vote to (1 ) Adopt Budget Resolution No. 6721 Amending the Waste & Environmental Fund Budget (2) Authorize the City to Procure Selected Manufacturing Ready Items (3) Approve the First Amendment to the Professional Services Agreement with Community Works Design Group in the Amount of \$ 26,530 (4) Approve the Construction Plans and Contract Specifications to Authorize the Release of Request for Bids No. 15-065 (5) Authorize a Purchase Order with Willdan Engineering in the Amount of \$238,420 for Construction Administration and Support Services for the Rebid Bud Bender Park Rehabilitation Project, City Project No. CB1302.

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**TAB 11 – Reject all Bids for the Fire Station 201 Remodel**

Robert Eisenbeisz, Public Works Director presented the staff report regarding Rebid of Fire Station 201 Remodel.

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Mayor Pro Tem Baca Jr. left the dais at 8:23 p.m. and returned at 8:27 p.m.

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Mayor Robertson stated that when she looked at the table it reflected the construction. Adopted budget was \$170,000 and now he is saying it's not.

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**TAB 11 – Reject all Bids for the Fire Station 201 Remodel**

Robert Eisenbeisz, Public Works Director stated its only \$70,000. The \$100,000 appropriation did not occur. In the course of the mid-year there was some action taken but it wasn't taken prior so it changed numbers in the table.

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Council Member O'Connell stated he believes they already agreed to purchase some training equipment. Driving and/or use of force. Is there a set plan moving forward to address the training facility that this will be housed in.

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Police Chief Farrar stated that it will be better off when they separate these two components. He had discussions with the City Administrator on some other possible locations. Those don't appear to be feasible so they will come back around to the original idea in putting those training simulators inside of the warehouse at the 429 building. They had other options but it didn't work out space wise. They do have funding already for the simulators but they will have to go back out to bid for the second piece of the project and then they will be able to move forward on the whole thing.

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Motion by Council Member Scott, second by Council Member O'Connell and carried by unanimous vote (1) Reject All Bids Received for the RFB No.15-029 for the Fire Station 201 Remodel, City Project No. 140201, and the Rialto Police Department Training Room Addition, City Project No. 14021 0; and (2) Authorize the Release of Request for Bids No. 15-086 for the Rebid of Fire Station 201 Remodel, City Project No. 140201 and as amended to reflect \$100,000 in Adopted Project Budget and \$365,000 in Adopted Mid-Year Budget.

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**TAB 12 – One Time Compensation to Employees**

George Harris, Administrative and Community Services Director presented the staff report regarding the formula and distribution of a total of \$500,000 in One-time Compensation to all Part-Time and Full-Time employees with City service of one-year or more, excluding the City Administrator and members of CGMA.

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Council Member Palmer stated that he was hoping to see in the staff report both models. He doesn't recall at the last meeting, City Council saying to just provide them with one model of what it would be like to include the part time employees. He thought the direction was to see what it would look like if they included part time employees. He would have liked to have had a choice. After the last meeting he had a lot of phone calls and conversations with full time employees. He had to go back with what the intent was of distributing this money. They had an overage in reserves, Council Member O'Connell requested they give \$500,000 of that back to the employees.

**TAB 12 – One Time Compensation to Employees**

Council Member Palmer stated the reason for giving that money back was to improve the morale of something that employees have given up items for the last six years. They have all been a part of the negotiation process when they were asked to give something up which has been a burden on full time employees. When the issue of part-time employees came up, he was shocked about that. He doesn't want to minimize what part time employees do for the City but they are paid an hourly wage no matter what they do. They didn't give anything up over those years. To give them something he thought was giving them a bonus for giving up nothing. That was coming away from what he thought they were doing for the full time employees. He is going to vote No on giving part time employees any money. If that means no on distributing it, then they will come back again and do it.

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George Harris, Administrative and Community Services Director stated to provide that option as part of their action tonight, if it is City Council's wish to look at the two options, the difference in the pay to the full time employees if they take out the part-time it would be \$1,873.57 without the part-time bonus as opposed to the \$1,800.62 amount. If it is the wish of the City Council to proceed that way, this would be the cost difference for full time employees.

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Council Member O'Connell stated that initially when came up with the idea, it was for full time employees. It was with the understanding that it was going to address a significant sacrifice they gave. He has only been here for the last two years and he remembers sitting in a lot of these meetings with the employees and without jumping to fall on the sword, they did so more readily than even what he would have expected. Since they did have an overage and it was only going to be 5% which is not a significant amount, he felt it was appropriate to give to the full time employees.

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Council Member Palmer stated that he is going to make a subsequent motion to pay the bonuses based on the formula for the full time employees only. Second by Council Member O'Connell.

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Mayor Robertson stated that it's a concern that if they are truly looking at what people have given up and those who have been here and support. She sees that the part time employees which 73 is a small number in comparison to the total number of part time employees they use to help support. How many part timers are there in support of the full time employees?

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**TAB 12 – One Time Compensation to Employees**

George Harris, Administrative and Community Services Director stated the 73 represents all the part time employees working now for more than a year. Currently 126 that are seasonal.

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Mayor Robertson stated that many part time employees have been with the City for many years. She wouldn't want to send a message that they are only concerned with full time employees.

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Council Member Scott stated that when this first came up he always envisioned it to include part time employees. He too got a lot of calls from various people in groups in the City asking where he was coming at on this item. He explained to them where he was coming from and after the number came out, he got calls from the same individuals saying supporting the item as presented tonight. He received no calls from part time employees. He thinks this is a gesture to show the employees how much they care for them. He understands that full time employees made some sacrifices but part time employees have also not had the opportunities for advancement and for full time positions they have stuck with the City. They are an intrical part of the City. He thinks it's great that the City has extra dollars to pass to its employees and say thank you. Everybody in the City has done a great job, including management. They could easily say that management deserves something also and he admires them for stepping back and saying no they won't take it. This item should move forward as it is written in the staff report.

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Mayor Pro Tem Baca Jr. stated that he concurs with the Mayor and Council Member Scott in supporting the item as is. One of the things that is difficult, a lot of people in this community are having a difficult time and he knows a lot of full time employees, they appreciate the concessions and they value what they do. They put in extra time and do a lot things. As Council Member Scott stated there are a lot of part time employees waiting for an opportunity to become full time. Right now there are no opportunities. They have not done a lot of new hiring for many part timers to full time positions. A lot of them are either college students, high school students, retirees or stay at home moms. Sharing a small piece of the pie, is not a big deal. There is enough room for everybody. This is one of those decisions where they are not going to keep everybody happy.

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**Subsequent Motion**

Subsequent Motion by Council Member Palmer, second by Council Member O'Connell and motion fails by a 2-3 vote to pay the bonuses based on the formula for the full time employees only. Second by Council Member O'Connell. Mayor Robertson, Mayor Pro Tem Baca Jr. and Council Member Scott voted No.

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**TAB 12 – One Time Compensation to Employees**

Council Member Palmer stated to be clear when they do this, they are not really rewarding their full time employees for the sacrifices they made. They are just dividing money. It's not because they gave up anything and not because he wants all the part timers to feel good because they have been here for a long time. This was about sacrifice that the employees made. They have full timers who have been here 15-20 years but they are paid for what they do and never gave anything up. They just \$500,000 they are giving back to employees.

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Council Member O'Connell stated that since he was the one that initially came up with this idea. It does not make any sense for him to discard it at the last minute. He will be supporting this as its written so both full and part time employees can get it in a timely manner.

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Mayor Robertson stated that when the suggestion was brought forward, she appreciates Council Member O'Connell thought of the taking the money and giving back to employees to show some appreciation of what they have done.

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Motion by Mayor Pro Tem Baca Jr., second by Council Member Scott and carried by a 4-0 vote to approve the formula and distribution of a total of \$500,000 in One-time Compensation to all Part-Time and Full-Time employees with City service of one-year or more, excluding the City Administrator and members of CGMA. Council Member Palmer abstained from voting.

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**REPORTS**

City Council gave their reports.

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**ADJOURNMENT**

Motion by Council Member Palmer, second by Mayor Pro Tem Baca Jr. and carried by unanimous vote to adjourn the City Council meeting at 9:11 p.m.

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